

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SALLY PICKENS,

Plaintiff,

V.

JO ANNE BARNHART, Commissioner of  
Social Security Administration,

Defendant.

Case No. C03-2519L

## ORDER GRANTING MOTION TO VACATE DISMISSAL AND REOPEN

This matter comes before the Court on plaintiff Sally Pickens' motion to vacate dismissal and issue new case schedule (Dkt. #19). The Court previously dismissed Pickens' case without prejudice for failure to exhaust her administrative remedies.

In the usual course, Pickens would re-assert her claims by re-filing this action. However, given the investment of resources in this case by the parties and the Court and the fact that defendant does not object, it seems appropriate that the case should be reinstated.

The Court therefore GRANTS plaintiff's motion and VACATES its judgment of November 3, 2004 dismissing this case. The Clerk of the Court is directed to reopen this matter

ORDER GRANTING MOTION  
TO VACATE AND REOPEN - 1

1 and to issue a new case schedule.

2 DATED this 5th day of July, 2005.

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5 Robert S. Lasnik  
6 United States District Judge